Den (193) Department.

Ms. SERIES.

G.O. No. 630

DATED 12-3-1938

[Despatch Abstract.]

Memorial - M.J. Mohammad - ex-Forest Guard - Mangalore

Petition rejected.

To

N577
29-9-37

His most Excellency the Governor
in Council,
Madras.

Humble appeal petition of M. Y. Mohammud Saheb, Residing at Shetta-nady, Hebri Branch Post office Karkal Taluk, South Kanara District. —

Dated 23-9-1937

Most Respectfully Sheweth.

I most humbly beg to draw the keen attention of His most Excellency the Governor in Council finally for the views of the enclosed Humble appeal along with the connected records, and thereby the proceedings passed on his humble appeal, by the Conservator of Forests Cotacamund, Chief Conservator of Forests Chepauk, and Government of Madras etc.

That, the appellant begs to submit, that no justification to any length on the Case of the appellant has been yet seen in the hands of the Conservator of Forests, Chief Conservator of Forests and Government of Madras, on the strength of reasonable reasons, which are herewith attached now for the kind perusal and dispose the same impartially.

That, the appellant most humbly begs to submit, that he counts his Considerable Service Considerable Service of about 18 years on permanent footing in the Madras Forest Department including the service of Coorg District before 1919, touches with good experience of the Forest works, for having been spent his best portion of young age, and he sees no go to start now any new avocation for his livelyhood, which is hard and can't move with it and further no Government rule permits to dispense the Service of the appellant, from the Forest Department as did by the District Forest officer mangalore North Division, (A. R. Griffith Esquire) Vide his proceedings ref A-1-636-734 dated 14th August 1934, except on strong reasons; such as bribe, selling trees from the Government reserves, and misappropriation of Government money, and there do not lie with the appellant.

That, the appellant most humbly beg to submit, that he is native of Coorg District being orphan, having no property of his own or of his ancestors, either at Coorg or at South Kanara District to pass his days with his wife, and three school going children, and he regrets much to represent his prosperous grievances of his poverty, which is un-sustainable one.

That, the appellant most humbly begs to submit in conclusion, that he gives up all his claims from the Department up to the date he rejoins his duty, if he is re-instates in his post as a Forest Guard 1st grade Departmentally, on the perusal of his humble appeal with the Connected records otherwise not only the appellant will be ruined but his wife, and three school going children will also be ruined, and he does not see to start any new avocation for his life, due to inexperience of the same for this act of justice, kindness, and mercy he humbly prays for ever, and ever. As the appellant had already been received endorsement no. 5339-1-35-1 Development Department, dated 7th December 1935, from His Excellency the Governor in Council, that the appellant should in the 1st instance approach Government of madras for redressal his humble appeal, therefore it is now submitted to His most Excellency the Governor in Council madras.

M. J. Mohammad Sahib
Appellant

Dated 23-9-1937

Page 3 removed
from the petition
– Vide G.M. dt. 28.

4

Al 2442-737 To

The Secretary,

Government Development Department

Fort St. George,

Madras.

Through

The District Forest Officer

Mangalore North,

Mangalore.

(S.K.)

Humble appeal petition of M. J. Mohammud Sahel, Ex. Forest Guard, Shankaranarayan Range, Mangalore North Division, residing at Sheetanady, Hebri branch Post-office, Karkal Taluk, South Kanara Distt. Dated 15-10-1937.

Most Respectfully Sheweth.

Subject:- Appeal against the orders of the District Forest officer, Mangalore North Division, vide his Proceedings Ref. A-1. 636-734 dated 14th August 1934, dispensing the Service of the appellant, from the Forest Department with effect from 1st September 1934, on the groundless evidences, due to personal grudge against the appellant, who had already been spent the best portion of his young age, on permanent footing, for an period of about 18 years of his Considerable Service, praying to Cancel and set aside the order, dispensing his Service from the Forest Department with-

effect from 18th September 1934, unreasonable grounds stated in the appeal, and also through the necessary records enclosed herewith. Ref. A.1.636-934 dated 14th August 1934, the Proceedings of the District Forest officer Mangalore North, is herewith attached in original in five leaves, for a kind perusal of the same, with a keen interest.

pp 289-78 (X)

The appellant above named, begs to submit as follows for a kind perusal of the necessary records shown in this appeal, and he prays for legal disposal.

I. That, the appellant most humbly and respectfully begs to submit, that his humble appeal, to the (1) Conservator of Forests Cotacamund, to the (2) Chief Conservator of Forests Chepauk, and (3) Government of Madras, were submitted on 1-6-1935, 3-2-1936, and 18-6-1936, but the same was dismissed by the Conservator of Forests, vide his proceedings M. No. 1980-31935 dated 7th December 1935, refused by the Chief Conservator of Forests Chepauk, vide his proceedings Rt. No. 289 dated 28th April 1936, and then it was said by the Government of Madras, vide G.O. No. 1108 78 dated 9th July 1936, that no appeal lies to Government, assigning no reasons of any sorts for dismissal and refusal etc of his humble appeal, which gives un-sustainable pain. The above proceedings in originals, and the true Copies of the humble four appeals, submitted to the Conservator of Forests on 1-4-1935, to the Chief Conservator of Forests Chepauk on 3-2-1936, and to the Government of Madras on 18-6-1936 are herewith enclosed for the kind perusal with the best interest.

(1) pp. 33-9. (I)
(2) " 3-7 (C)
(3) " 1-119 (J)

P 95 (I)

P 139 (C)

(Z)

(J)

That, the appellant most humbly and respectfully begs to submit that he is native of Coorg District Viranajendrapet who is brought to this District in the year 1919, by H. Tierman Esquire, who he was a deputy Conservator of West Coorg, the -

appellant being poor, unapproaching no property of his own, or of his ancestors either at Coorg, or at Sonkkanara District, finds hard to pull on his days with his three school going children and wife at this un-employment State. Almighty God only knows the poor grievances and the position of such a low paid poor subordinate like the appellant. Not only the appellant was dispensed with his service, from the Forest Department, and ruined but the livelyhood of his wife, and his three school going children is also dispensed with, and ruined. He counts his considerable service in the Forest department on permanent footing, for an period of about 18 years, who had already been spent the best portion of his young age, in the Forest Department, touches with the good experience of the Forest works only, and he can not start any new avocation for his livelyhood, due to inexperience of the same, and further no body gives ground for him, as his young age has already been spent, and passed.

III That the appellant most humbly, and respectfully begs to submit, in the case of impertinent of the appellant if any objection is raised, the sole object of the appellant on the certain point may kindly be perused, and scrutinised well before it is considered, and further due to the hit on his poor stomach from 1934, he was deeply confused as he did not see the way, for the protection of his poor family, and his three school going children was constrained to submit his ill considered petitions etc here, and there, for which he humbly requests to be pardoned once for all, and overlook the illaction did by him on the strength of his humble appeal, and the forgiving is the crown of greatness like with the officers and Government when the appellant himself takes refuge.

F 7/4

Now, the appellant has learnt a great lesson for his movements in the Department with the officers, and works and if the appellant repeats the same in future on his re-instatement of his post in the Department in any case, on no moments, he can be dismissed from the Service on the strength of this declaration and there will be no his humble appeal at all. The appellant is innocent as he is stranger to this District, but the ill considered words are made by him here, and here due to his ignorance and murmurings and also the evidences of others in the Department whom he cannot blame, but he blames his bad star which he may kindly be excused, on behalf of his poor three school going Children and wife.

IV

That the appellant most humbly and respectfully begs to submit that his poor humble appeal, submitted to the (1) Conservator of Forests on 1-4-1935, in 35 leaves, to the (2) Chief Conservator of Forests on 3-2-1936 in three leaves to the (3) Government of Madras on 18-6-1936 in 4 leaves, on 17-8-1936 in 4 leaves on (5) 7-9-1936 in 9 leaves to the Honourable Prime Minister on (6) 12-8-1937 in 6 leaves to His Most Excellency the Governor in Council Madras on 23-9-1937 in 2 leaves, and other connected records are here with enclosed, which may kindly be perused and scrutinised well with the keen interest for the disposal of his humble poor appeal legally.

(1) Pp 33-37 (E)
(2) " 4-7 (C)
(3) " 113-119 (J)
(4) " 125-131 (J)
(5) " 133-147 (J)
(6) " 3-13 (J)

pp 1-2 enclosures

V

The appellant therefore in conclusion most humbly and respectfully begs and prays, in the name of humanity, British justice, Congress justice and Almighty God, on a kind and favourable Consideration of all the facts and documents referred in the appeals as mentioned in Para 4. of this humble poor appeal, your gracious honour may be pleased to cancel and set aside the order dispensing his Service from the Department with effect from 1st September 1934, and re-instate the appellant in

1 ... 78 2-1

(X)

his Post, as a Forest Guard 1st grade for which act of kindness, justice and mercy the appellant shall as in duty bound ever pray, and further he is prepared to undergo an loss of his pay from 1934, until he joins his duty, on the re-instatement of his Post in his grade, if Government please. Granting the pay, or not, or any Concession for the period from 1934 onwards lies on the strength of evidences as per records, and documents etc, against the Charges framed and there will be no question as his right claims and he is willing to give up them. He is in the centre of the Sea, un-seeing the future path for the protection of his poor family and three his school going children and hence he is entangled in the middle with no death etc. He most humbly and respectfully requests that he may kindly be pardoned all his faults once for all, whatever he did up to day, and re-instate him in his post in his grade in the Department for the protection of his poor family and three his school going children, for which the appellant himself will be new man, rectifying the defects of his own nature. The present District Forest officer, Mangalore North, aware of the poor position and grievances of the appellant at this un-employment state with his wife, and three his school going children at Sheelanady, which he feels & regrets much to express them, on the face of his poor humble appeal. The Governors Secretariate memorandum no. 1577-I dated 29th September 1937 in original in which the memorialist directs by His Excellency the Governor in Council makes to Submit his memorial for re-instatement ~~should be submitted~~ to the Secretary, Govt. Development Department madras through the head of the Department he belongs is herewith closed.—

M. J. Mohammad Saheb
Appellant
Dated 15-10-1937

P. S.

The Secretary, Government Development Department madras, is informed direct about the Submission of this humble poor appeal.

M. J. Mohammad Saheb
Appellant
Dated 15-10-1937

Ordered 3740 I 25.10.37 (G)

P.3 enclosed

FOREST DEPARTMENT.

Received ... 19 Registered Dev. 4172 I 19

Subject. 19.11.37

Memorial to His Excellency the Governor - M.J. Mohammad Ex. Forest Guard, Mangalore North Division.

ENCLOSURES.
No.
Spare copies

Reference No. 9479/37-D2

Station Chepauk, Madras, *Dated the* 16th November 19 37

From (Name)- T.A. Whitehead Esq., I.F.S.,

(Designation) Chief Conservator of Forests.

To The Secretary to the Government of Madras,

DEVELOPMENT Department.

Sir,

Ref:- Memorial to His Excellency the Governor dated 23-9-1937.
Governor's Secretariat Memo. No.1577/I, dated 29-9-1937.
Appeal to Govt., Dev. Dept., dated 15-10-1937.

::::::::

Submitted to Government with reference to G.O. No.1306 Public (Services), dated 7th August 1935.

2. The memorialist's case was disposed of in G.O. No.1108 Ms., Dev., dated 9-7-1936. I also invite reference to Government Endorsement No.1307-I/37-1, Dev., dated 19-4-1937 and No.3209-I/37-1, Dev., dated 22-9-1937.

3. The connected records are submitted.

For Chief Conservator.

Enc:- Memorial and records.

V.P.17.11.37.

List of records.

1. D.Dis. file 968/1933, dated 13-12-1933. (A)
2. D.Dis. file 1912/1933, dated 16-6-1934. (F)
3. D.Dis. file 2170/33, dated 2-7-1934 (B)
4. D.Dis.file 636/34, dated 18-9-1934 (X)
5. D.Dis. file 135/35, dated 20-12-1935 (S)
6. Service register with leave accounts of M.J.Muhamad Saheb. (M)
7. Personal file of -do- (P)
8. Conservator's D.Dis.1980/35, dated 22-1-1936 (I)
9. C.C.P. Rt.289, dated 28-4-1936 (C)
10. C.C.P. L.Dis. 5717/36, dated 14-7-1936 (D)
11. C.C.P. L.Dis. 2522/37, dated 23-4-1937. (E)
12. C.C.P. L.Dis. 7633/37, dated 25-9-1937. (H)

19 NOV 1937

Despatched. Copies with this 9/1.

Despatched
9/8.1.38

33
9/1

Dev. Dept.

Letter No 4172 I/37-1 dt 8-1-38

To the Secy.
M. P. S. C.

Subject Appeal - M. T. Mohammad - ex Forest Guard - Mangalore North Division.

Sir,

I am to forward herewith the appeal referred to above (treated as a memorial to Govt) against the orders of the D. F. O. Mangalore North, dispensing with the services of the appellant, together with the connected records and to request that the M. P. S. C. will be so good as to favour Govt with their opinion as to the orders to be passed on the case

I have etc.

9/6.1.38.

8/1/38

Govt
7.1.38

per appointment
10.1.38

Govt encl.
. Appeal title encl No.
. Appellant's title & personal papers (C)

H. F. items 1 to 12 at P. 10 C.

nfidential.

Public 12

Dev. 825 I
25-2-38

DEPARTMENT.

Received 25.2.38 19 . *Registered* 19 .

Subject.

Memorial - Mohammad, M.J. - Ex-Forest Guard - Against removal from service -

ENCLOSURES.
No.
Spare copies

No. 51-C/38.

Station Madras, *Dated the* 24th February 1938.

From (Name) M.R.Ry. Rao Bahadur C.P.Karunakara Menon Avl.
(Designation) Secretary, Public Service Commission, Madras,

To The Secretary to the Government of Madras,
Development Department.

Sir,

P. W. & L. D.

Your letter No.4172-I/37-1, dated 8-1-1938.

The Commission observes that though the procedure prescribed in rule 55 of the Civil Services (Classification, Control and Appeal) Rules has been complied with in respect of the primary charges framed against the memorialist, it was not fully followed with regard to his past record. The past record should not therefore have been taken into account in

awarding the punishment. But the Commission considers that, even if the past record is left out of consideration, the punishment ordered is justified. Charges I to III are, by themselves, serious and they were fully proved. In respect of these charges the Commission agrees with the District Forest Officer in his findings. In the opinion of the Commission the only conclusion possible from these findings is that the memorialist is unfit for further employment. It accordingly advises that the memorial be rejected.

2. The records are returned.

Vide his letter below.

I have the honour to be,

Sir,

Your most obedient servant,

Secretary. 24.2.38

T.24.2.

List of records:

1. Appeal and its enclosure. pp 1-8 super
2. Appellant's file of personal papers. (J)
3. D.Dis. file 968/1933, dated 13-12-1933. (A)
4. " 1912/1933, dated 16-6-1934. (F)
5. " 2170/33 dated 2-7-1934. (B)
6. " 636/34 dated 18-9-1934. (X)
7. " 135/35, dated 20-12-1935. (S)
8. Service register with leave accounts of M.D.Muhammad Saheb. (M)
9. Personal file of Do. (P)
10. Conservator's D.Dis.1980/35, dated 22-1-1936. (I)
11. C.C.P. Rt.289, dated 28-4-1936. (C)
12. C.C.P. L.Dis.5717/36, dated 14-7-1936. (D)
13. C.C.P. L.Dis. 2522/37, dated 23-4-1937. (E)
14. C.C.P. L. Dis. 7633/37, dated 25-9-1937. (H)

14

Dev. Dept.

C No 4172 I/37.

Appeal - M I Mohammed - ex Forest Guard - Mangalore North Div.

From the appellant dated 15-10-1937.

Encl to the C.C.F. Ref. No 9479/37-D2 dt 16-11-37

To AS

Please see the appeal petition at PP. 4-8 ct. and the C.C's forwarding remarks at PP. 9-10 ct.

2 The services of the appellant, who was a forest guard in the Mangalore North Division, were dispensed with by the D.F.O. with effect from 1-9-1934 - vide his progs. No. 636/F.34 dated 14-8-1934 - on the following charges:-

(1) Gross neglect of duty and malingering;

(2) Disobedience of orders; and

(3) Highly suspicious conduct.

The appeals preferred by the appellant to the Conservator, Gotacamund circle and the C.C.F. were dismissed.

3 In connection with his petitions to His Excellency the Governor on other subjects (disallowance of T.A. and transfer T.A. to the appellant by the D.F.O) the

appellant was informed, under the orders of His Excellency, that he should, in the first instance, approach govt for redress — Vide Endt No. 5339 I/35-1 dated 7-12-1935. In spite of this intimation, the appellant submitted an 'appeal' to the govt on the present subject (removal from service) in June 1936 and he was informed that no 'appeal' lies to govt in his case; his case was not then examined on merits — Vide Spl. 1108 Dev. dated 9-7-1936. In January 1937 he sent a 'registered notice' to govt threatening to file a civil suit for his appointment and it was rejected — Vide Endt No. 1307 I/37-1 dated 19-4-1937. In June 1937 he submitted another petition which was also rejected — Vide Endt No. 3209 I/37-1 dated 22-9-37. On 23-9-1937 he submitted a memorial to His Excellency direct and he was informed in the Governor's Secretariat G.M. No. 1577-1 dated 29-9-1937 that his memorial to H.E. should be submitted to the Secretary to govt Dev. Deptt through the head of the office to which he belonged. The memorial was also returned to him. Instead of resubmitting the memorial to

~~3~~ 16

His Excellency through the proper channel or submitting a fresh memorial to Govt. he has submitted an (X) appeal' to Govt together with the memorial submitted to his Excellency & returned to him and the Governor's Secty. Cell dated 29-9-37.

4 Evidently the appellant, ~~does~~ being only a forest guard, does not know that he can memorialise Govt in the matter before approaching His Excellency. In these circumstances it is for orders whether the present 'appeal' to Govt will be summarily rejected as no appeal lies to Govt in the case, as was done with his previous 'appeal' to Govt — G.O No. 1108 Rev dated 9-7-1936 — or the 'appeal' treated as a memorial to Govt and his case examined on its merits. In the latter case the M.P.S.C. will have to be consulted. For orders.

(2)

We have already rejected the 'appeal' X/9-12-37. and the present petition which he styles as an 'appeal' petition may, if so ordered, 8/12 10-12-37 be treated as a memorial to Govt. If it be ~~further~~ ordered that it be examined on its merits, it may be sent to the Services Commission for advice

11.12.37

~~A~~ 17

The memorial may be summarily rejected.

CC
14.12.37

(...) 14/12/37)
PR cm
14/12/37

HM(A&RS) I prefer the appeal petition is sent to M.P.S.C. to examine it on its merits

3.1.38

CC
3.1.38

Read 4/1

A.S.

A draft letter to the M.P.S.C. is submitted for approval.

Issue

6.1.38.

7.1.38

[Issued as letter No. 4872-I/37-1 dt 8-1-38 P 11 c/
in P.S.C. No. 51-C/38 dt 21-2-38] P 12-1 c/

To A.S.

Please see the letter to the M.P.S.C. at P. 11/c and their reply at P. 12-1/c. Dy. Secy. recommends that the memorial be rejected. Orders whether their recommendation will be accepted; if so, the draft letter is for approval.

Pl cm
5/3

20.2.38.

28.2.38

4.3.38

Issue CC
11.3.38

HM(A&RS)

7.3.38

98/1173 18

C.F.16.

DRAFT FOR APPROVAL.

Dev. Dept

	Date.	Initials.
d for fair copying ..	12/3/38	
When copied ..		
When examined...		
When signed ..		
When despatched.		

SUBJECT:— Forests

Memorial – M. J. Mohammad – Ex Forest Guard – Mangalore North Dn – rejected.

READ AGAIN Govt's 1108 Dev., dated 9-7-1936 (2) 19....

" " ..... " ..... 19....

READ *ALSO*:—

No. 4172/37 From the Memorialist, No. .., dated 15-10-1937 pp 1-8 C

" Endg to C.C.F. Rep. No. 9429/37-D2 16-11-37 pp 9-10 C

" Letter with Secy M.P.S.C. " 4172 I/37-1 " 8-1-1938 P. 11 C

" From C.C.F. " 51-C/38 " 24-2-1938 pp 12-13 C

Order Ms. Resolution Rout. No. 630, dated 12-3-1938.

The Govt see no reason to interfere.

(I) Dist with his file of personal papers retd + with copy of Commn's letter. pp 12-13 C

(X) " C.C.F. with records retd + with copy of Commn's letter. pp 12-14 C.

" Secy. M.P.S.C. with C.L. withdrawn Secy 28/3/38

14/3

X/27.2.38.

11.3.38

(X) Hiring Records

(H.E. Manual Instr. P-10 C).

X. (Address).
M.J. Mohammad Sahib
Ex Forest-Guard
Sheetanady
Hebri Branch Post Office
Karkal Taluk
South Kanara Dt.

19

Dev. Dept.

C No 4172 I/37.

Memorial to H. E. The Governor - M. J. Mohammad - ex Forest Guard, Mangalore North Division.

From the Memorialist dated 15-10-1937

Lrd/ of the C.C.F. Rc/ No 9479/37 - D2 dt 16-11-37

To A.S

Please see the memorial at pp 1-8 and the C.C's forwarding remarks at pp 9-10 Cf.

2 The services of the memorialist, who was a forest guard Mangalore North Div were dispensed with by the D.F.O. with effect from 1-9-1934 - vide his proc. no 636/F-34 dated 14-8-1934 - on the following charges:-

(1) Gross neglect of duty & maligngering

(2) Wilful Disobedience of orders

(3) Highly suspicious conduct

The appeals preferred by the memorialist to the Conservator and the C.C.F. were dismissed. In June 1936 he submitted an 'appeal' to the Govt & he was informed that no appeal lies to Govt; ~~this~~ his case was not then examined on merits.

3 The present petition is a memorial to His Excellency the Governor. In connection with his petitions to H.E. on other subjects

(disallowance of T. A. and transfer T. A. to the memorialist by the D. F.) the memorialist was informed, under the orders of His Excellency, that he should, in the first instance, approach Govt. for redress - vide Endt No 5339 I/35-1 dated 7-12-1935. In spite of this instruction the memorialist did not submit a memorial to Govt on the present subject (removal from service) but submitted an 'appeal' which was dismissed on technical grounds as stated in para 2 above. In January 1937 he submitted a 'Registered Notice' to Govt threatening to file a civil suit for his appointment and it was rejected. In June 1937 he submitted another petition which was also rejected. The present memorial to H. E. does not therefore, satisfy the condition (1) of para Instruction (3) of the Instructions for the submission and disposal of petitions addressed to H. E. printed as Appendix III to the Business Rules, in as much as the memorialist did not submit a memorial in the first instance. Evidently the memorialist, being only a forest guard, does not know that he can memorialise Govt in the matter.

4. In these circumstances, it is for consideration whether the present memorial to H. E. will be treated as a memorial to

~~3~~ 21

xgovt. and his case fully considered. The case may be ~~sent back~~ sent to the Governor's Secy. for obtaining His Excellency's orders on this point before proceeding further in the matter.

29.11.37. RR 3.12.37 J.

Cal 2.97

The matter now under reference is an appeal (or memorial, it is immaterial how you call it) addressed to Govt i.e. Secy to Govt Development and not a memorial addressed to His Excellency. So the matter first be disposed of by Govt.

Cld
6.12.37

LL

Dev. 366 I
26-1-38

C.F. 304—2,000 Bks.—6-10-36.

Show paper

OFFICE OF THE Dev.

Dated 26th Jan. 193 8.

13 Hours 50 Minutes.

TELEPHONIC MESSAGE

From The Secretary, M.P.S.C.

To The Secy., Dev.

Ref: Your Lr. No. 4172-I/37.1 Dt 8-1-38.

In the appellant's file as personal papers forwarded to the Commission, there is an appeal Dt 12-8-37 to the Prime Minister which was disposed of by a reply that the Hon. P.M. could not interfere. I am to enquire whether this is the appeal which has been treated as a memorial to the Govt. and on which the Commission's advice is required. If it is not the appeal, petition on which the Commission's advice is sought may kindly be sent.

From

To

S.S.
26-1-38

Dev. Dept.

Reply

The appeal is not the one referred to by you. The appeal which was omitted

23

The Secretary to the Commission, is sent with the P.C. of this message. —

RB
26/1

26.1.38.

26/1/38

P.C. secretary letter enclosed
26-1-38.

for other C/B Secretaries
[illegible] the
Enclosure has
not also part of
the draft

C 26/1/38

To the Secretary C/B.

26/1/38.

33/871 24

Supdt.

Submitted

The error is regretted very much

D

Submitted to A.S.

The omission may be excused.

Sd/- U 2.38

Very well.

Sd/-

A

3. The original Governors Secretariat memorandum No. 1577-1 dated 29th September 1937 submitted along with the memorial dated 15.10.1937 has not at all been traced in records on 17.3.1938 which may kindly be sent immediately as it is required by the memorialist and the Government is informed beforehand that all the connected records in the case of memorialist should be preserved without burn or waste as those will be required to be produced for a keen and kind perusal for justifying the case of the memorialist, under the charges framed against.

4. In the case of memorialist, the public Service Commission speaks in his opinion vide his letter No. 51-C/38 dated 24th February 1938 to the Secretary, Government Development Department Madras that the Charges I to III framed against the memorialist are sincere and fully proved which is deliberately false, and nothing but partiality, an insufficient grounds stated in the memorial and it is believed. The public Service Commission would have not been pleased to give such a un-worthable opinion, if he had really gone through the connected written records, and seen them with broad short of glance, the charges along with the evidences thereon. On other hand in the respect of the charges I to III framed against the memorialist he agrees with the District Officer in his findings, and says that the punishment ordered is justified, is also quite clear, that he did not look into the records, to give his reasonable opinion in the views of impartial justice, which is rather disgraceful to his high and noble position.

5. Further, whatever the Public Service Commission says in his opinion vide his letter stated above, is quite unjust and un-believeable envelopes with full partiality just to save his nation, for which the memorialist is bold enough, and prepared to prove the unjust, and partiality of the British nation before any public Court. The memorialist

the memorialist has been compelled to bring the above to the notice as no reasonable impartial justice has been seen in the hands of British Indian in the case of memorialist, on the submissing of his several memorials.

6. It was not a serious matter to be forwarded to the Public Service Commission for disposal when the memorial was addressed to the Secretary, Government Development Department and the partiality opinion of the Public Service Commission is quite false, and un-agreeable such opinion could have been obtained by a ordinary illiterate man. It is given to believe the Public Service Commission is afraid of, that the District Asst. Officer A. L. Griffith Esquire will be surcharged, if the humble memorial is disposed in view of impartial reasonable justice under the light of records and evidences thereby lies. The attention of the Honorable Minister and Secretary, Government Development Department, Madras, ought to have been drawn to his humble memorial dated 15-10-1937, which has not been done is quite unjust and un-sustainable.

pp. 2, 4 (5)

7. The petitioner therefore most humbly begs to submit in conclusion, that the Government may be pleased to recall his humble memorial on the charges framed I to III as mentioned in the Public Service Commission's letter No. 51-C/38 dated 24th February 1938 addressed to the Secretary, Government Development Department, and do impartial agreeable justice on the face of evidences on records which is more better on either parties (Government and Memorialist) before the memorialist brings them in public, by which act

pp 12-15 [illegible]

Ministers, justice and ~~mercy~~ 27 the petitioner most humbly begs and prays for ever and ever.

yours most obedient

M. J. Mohammad Sahib

Date 24. 3. 1938.

Copy has been submitted direct to the Hon'ble Ministers, Government Development Department Madras, as the present Government is justiciable in the Cases of British and Indians.

M. J. Mohammad Sahib
24. 3. 1938.

28

Dev. Dept.

Petition dated 24-3-38 from M. J. Mohammad – ex Forest Guard Mangalore North Div.

Confl. No. 1531 I/38-1 dt 9-4-38

The petition is rejected with reference to Instruction XVII (3) of the Instructions regarding the submission of petitions to Govt. extracted below.

2 The original of the Government Secretariat G.O. No. 1577-1 dt 29-9-1937, is herewith returned as requested by the petitioner.

3 The petitioner is informed that further representations to Govt. on the subject will remain unnoticed.

RS 7/4/38 Dy. Secy.

X/7.4.38

Sd/- 7.4.38

Instruction XVII

Petitions addressed to the Govt. will be liable to summary rejection in the following cases:–

× × ×

(3) when a previous petition has been

upwitheld 8/9.4.38

47 9/4

P 39 (P)

To the Petitioner with enclosure (M. J. Mohammad Ex Forest Guard Sheetanady Uthra Branch Post Office Kuthal Taluk South Kanara Dt.)

imposed by the Govt of Madras ---

--- and the petition discloses no

new facts or circumstances which

afford grounds for a reconsideration

of the case.

Note.

The case of the petitioner was fully considered in consultation with the Hon'ble P.S.C. & orders passed rejecting his memorial – vide Ref. 630 Dev. dt 12-3-38. With reference to Ref. 2 of the original of the Govt Sectt. G.O. No. 1577-1 dt 29-9-37 may be returned to the petitioner who may be told that further representations on the subject will remain unnoticed. After this the papers may be retained with this Ref. as (P).

P 3 (April.

11/7/38.

SMS
7.9.38.

imposed by the Govt of Madras ---

--- and the petition discloses no new facts or circumstances which afford grounds for a reconsideration of the case.

× × ×

Note.

The case of the petitioner was fully considered in consultation with the Hr. P.S.C. & orders passed rejecting his memorial – vide Govt. No. 630 Dev. dt 12-3-38. With reference to A on P. 2 of the original of the Govt Sectt. G.O. No. 1577-1 dt 29-9-37 may be returned to the petitioner who may be told that further representations on the subject will remain unnoticed. After this the papers may be retained with the Govt as at (P).

P 3.1.38.

7/4/38.

SMS
7.4.38.

30

C.F. 30.

Forest **DEPARTMENT.**

Received 16 MAY 1938 192 . *Registered* Dev. 2039. D 192 .
16.5.38

Subject.

Petition -

.. M.J. Mahammad Sahib - Ex-Forest Guard
Mangalore North division.

ENCLOSURES.
No .....
.....
Spare copies .....

Reference No. 4031-38-D2.

Station Madras *Dated the* 11th May 1938

From (Name) C.C. Wilson Esq., I.F.S.,
(Designation) Chief Conservator of Forests.

To The Secretary to the Government of Madras,
Development Department.

Sir,

PP 3-6 infra

Ref: Petition from M.J. Mahammad Sahib dated 24-3-1938.

Submitted to Government.

PP 9-10 & (9)

2. I invite a reference to my letter No.9479-37-D2, dated 16th November 1937 disposed of in G.O.No.Ms.630, Development, dated 12th March 1938.

ibid

3. The present petition is liable to summary rejectio under instruction XVII (2) & (3) of the revised instruc tions in G.O. No.271 Public (Services), dated 4th February

Printed in Fr Business Rules — vide P. 69 post (not printed)

31

32

February 1937. The petitioner may also be warned that further petitions from him will receive no attention.

Already done with para 3 q to s at P 28 q (G)

4. The connected records are submitted.

13.V

for Chief Conservator.

SPs-6 in-h

Enc: One petition and connected records.

13.5.

oav.12.5

List of records.

14 MAY 1938

1. D.Dis.file 968/33, dated 13-12-1933. (A)
2. ,, 1912/33, dated 16-6-1934 (F)
3. ,, 2170/33, dated 2-7-1934. (B)
4. ,, 636/34, dated 18-9-1934. (X)
5. ,, 135/35, dated 20-9-1935 (D)
6. Service register with leave accounts of M.J.Muhammad Sahib (M)
7. Personal file. (P)
8. Conservator's D.Dis.1980/35. (h)

To X 32 (+)

The "Secretary"

Government Development Department

Madras.

Through

The District Post Office

Mangalore North Division

Mangalore

(S.K.)

By Regd. Post

Pages Nos. 1 to 4

A1 - 923/38

Humble petition of M.J. Mohammad Saheb, Ex. Post. Guard Shankaranarayana Range, Mangalore North Division, residing at Shettanady Hebri branch Post office Karkal Taluk, South Kanara District.

Dated 24-3-1938.

Subject:- Regarding humble memorial dated 15.10.1937, and G.O. No. 1578 630 dated 12th March 1938 passed thereon. (G)

I refuse to forward this 29.9.38

Most Respectfully Sheweth.

The petitioner most humbly begs to submit this humble memorial dated 15-10-1937 was submitted to the Secretary Government Development Department as directed in Governors Secretariat memorandum No. 1577-1 dated 29th September 1937, Govt. Government was highly pleased and has passed such a aggrieved order that he sees no reason to interfere, which is absolutely disgraceful to this high and noble position.

P 4-8-4 (G)

Et mentis Explicit Encl. -V. dupm 2 P: 28 Ch. d

2. On the Submissing Several humble memorials, the British Nation did not please to look into the Connected records, with Sudden Shock of glance

Page (P) V (K)

to do impartial justice in the respect of charges framed against the memorialist and the evidences thereby lies, but wrong hand tough order has blindly passed just to save their nationality, as pen in their hands having no justice at all in the case of memorialist. This why; the Congress is already prevailed and it is still prevailing vigorously through out India dead against the British nation, just to plant the pillar of justice in India, as the justice and impartiality has already been disappeared in the hands of British nation, in the cases of Indians under their ruling.

3. The original Governor's — Secretariat memorandum no 1577-1 dated 29th September 1937, submitted along with the memorial dated 15-10-1937 has not at all been received in records on 17-3-1938, which may kindly be sent immediately as it is required by the memorialist and the Govt is informed beforehand, that all the connected records in the case of memorialist should be reserved without burn or waste as those will be required to be produced for a keen and kind perusal to justifying the case of memorialist, under the charges framed against.

Refers to petition Vol. I Pages 21 & 28 (9)

4. In the case of memorialist, the Public Service Commission speaks in his opinion vide his letter no 51-C/38 dated 24th February 1938 to the Secretary Govt Development Department Madras that the charges I to III framed against the memorialist, are serious and fully proved, which is deliberately false, and nothing but partiality, on sufficient grounds stated in the memorial, and it is believed, the Public Service Commission ought have not been pleased to give such a unwarrantable opinion, if he has really gone through the connected records, and seen them in the

P.P. 12-13 ibid

sudden shoot of glance, ~~3 5 34~~ the Charges along with the evidences thereon. On other hand; in the respect of the Charges I to III framed against the memorialist, he agrees with the District Asst. Officer in his findings, and says - that the punishment ordered is justified, is also quite clear that he did not look into the Records, to give his reasonable opinion in the View of impartial justice, which is rather disgraceful to his high and noble position.

5. Further; whatever the public Service Commission says in his opinion, vide his letter stated above, is quite unjust, and un-believable envelope with full partiality, just to save his nation for which the memorialist is bold enough and prepared to prove the unjust and partiality of the British nation before any public Court. The memorialist has been compelled to bring the above to the notice, as no reasonable impartial justice had been seen in the hands of British nation, in the Case of memorialist on the submission of his several memorials.

6. It was not a Sircumstance to be forwarded to the public Service Commission for disposal, when the memorial was addressed to the "Secretary" Government Development Department + the partiality opinion of the public Service Commission, is quite false, and un-agreable, and such opinion Could have been obtained by a ordinary illiterate man. It is given to believe, the public Service Commission is afraid of, that the District Asst. Officer A. L. Griffith Esquire will be discharged, if the humble memorial

is disposed in view of impartial reasonable justice under the light of records and evidences thereby lies. The attention of the Honorable ministers and Secretary, Govt. Development Department Madras ought to have been drawn to his humble memorial dated 15-10-1937 which has not been done, is quite unjust and un-sustainable.

7. The petitioner therefore most humbly begs to submit in conclusion that the Government may be pleased to recall his humble memorial on the charges framed I to III as mentioned in the public Service Commissions letter No. 51-C/38 dated 24th February 1938, to the Secretary Government Development Department and do impartial reasonable justice on the face of evidences on records which is more better on either parties (Govt. and memorialist) before the memorialist brings these in Public for which act of kindness, justice and mercy the petitioner most humbly begs and prays for ever and ever.

PP. 12-13 of (5)

yours most obedient
M. J. Mohammad Sahib
24. 3. 1938

Honorable ministers

Copy has been submitted direct to the ministers, Government Development Department Madras, as the present Government is justiciable in the cases of British and Indians.

M. J. Mohammad Sahib
dated 24. 3. 1938.

36

Dev. Dept

G.M.No. 2039 I/38-1 dt 25-5-38

Petition – M. T. Mohammad Sahib – Ex Forest Guard – Mangalore North Div.

From the C.C.F. Rep. No 4031-38-02, dt 11-5-38

The C.C.F. is informed that a copy of the petition submitted with his reference read above, has already been received direct by Govt. & orders have been passed thereon in Govt No 1531 I/38-1 dt 9-4-1938 (copy enclosed)

~~2. The~~

X/20.5.38

2.5.38

Sec

2.5.38

Note

After use the papers may be attached with the file at (G)

X/20.5.38.

Sec

2.5.38

H 26/5

26/5

Dept informed.

X/25.5.38.

pp 1-2 cf

pp 3-6 cf.

P 28 of (G)

(X) i.e. C.C.F. with the records refd & with copy of Govt at P. 28 of (G)

(X) Xist of records (H.E. list at P. 2 of).

[illegible] Govt

27.5.38